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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/707,382

12/09/2003

Heng-Chien Chen

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01/24/2007

NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION

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EXAMINER

KNOWLIN, THJUAN P

ART UNIT

PAPER NUMBER

2614

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

01/24/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/707,382	CHEN, HENG-CHIEN	
	<b>Examiner</b>	<b>Art Unit</b>	
	Thjuan P. Knowlin	2614	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 December 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu (US 7,154,880), in view of Tagg et al (US Patent Application, Pub. No.: US 2005/0286466 A1).
2. In regards to claim 1, Wu discloses a first local telephone system (See Fig. 2 and PSTN 70); a first communication module (See Fig. 2 and data access arrangement {DAA} 17) connected to the first local telephone system and connected to the Internet (Fig. 2 and digital network 80) through a first dynamic IP address, the first communication module capable of converting voice signals received from the first local telephone system to voice packets for transmission over the Internet and capable of restoring voice packets received through the Internet into voice signals; a second local telephone system (e.g., PBX); and a second communication module (See Fig. 2 and SLIC 14) connected to the second local telephone system and connected to the Internet through a second dynamic IP address, the second communication module capable of converting voice signals received from the second local telephone system to voice packets for transmission over the Internet and capable of restoring voice packets

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received through the Internet into voice signals (See col. 3-4 lines 55-25); and a host (See Fig. 2 and CPU 18) connected to the Internet through a static IP address, the host capable of controlling voice packet traffic between the first communication module and the second communication module (See col. 4 lines 26-50). Wu, however, does not disclose a roaming communication system. Tagg, however, does disclose a roaming telecommunication system (See Abstract, Fig. 23, and pg. 12, paragraph [0217] – [0218]). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to incorporate this feature within the system, as a way of providing the device with the capability of determining the connection methodologies available to it and its relative merits, and then connecting to the host using the best available standards.

3. In regards to claim 2, Wu discloses, wherein the first communication module is a data access arrangement (DAA) module (See Fig. 2 and DAA 17), the first local telephone system is a public switched telephone network (PSTN) (See Fig. 2 and PSTN 70), and the DAA module is connected to the PSTN through at least one phone line (See Fig. 2 and RJ-11 connecting port/third connecting port 13) (See col. 4 lines 1-3). Tagg discloses the roaming communication system (See Abstract, Fig. 23, and pg. 12, paragraph [0217] – [0218]).

4. In regards to claim 3, Wu discloses, wherein the second communication module is a subscriber line interface circuit (SLIC) module and the second local telephone system is a private branch exchange (PBX) (See col. 3 lines 55-64). Tagg discloses the

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roaming communication system (See Abstract, Fig. 23, and pg. 12, paragraph [0217] – [0218]).

5. In regards to claim 6, Wu discloses, wherein the host comprises a network private branch exchange (PBX) for managing telephone connections (See col. 4 lines 26-33). Tagg discloses the roaming communication system (See Abstract, Fig. 23, and pg. 12, paragraph [0217] – [0218]).

6. In regards to claim 7, Wu discloses, wherein the host comprises a server connected to the network PBX for controlling data traffic (See col. 4 lines 34-50). Tagg discloses the roaming communication system (See Abstract, Fig. 23, and pg. 12, paragraph [0217] – [0218]).

7. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu (US 7,154,880), in view of Tagg et al (US Patent Application, Pub. No.: US 2005/0286466 A1), and further in view of Alexis (US Patent Application, Pub. No.: US 2006/0128376 A1).

8. In regards to claim 4, Wu and Tagg disclose all of claim 4 limitations, except wherein the first (See Fig. 2B and DAA 36) and second (See Fig. 2B and SLIC 20) communication modules are each connected to the Internet through a network cable according to IEEE 802.3 protocol. Alexis, however, discloses the use of IEEE 802.11 protocol (See pg. 12, paragraph [0192]). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to incorporate the IEEE 802.3

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protocol within the system, as a way of connecting a device(s) to the Internet or any other data network.

9. In regards to claim 5, Wu and Tagg disclose all of claim 5 limitations, except wherein the first and second communication modules are each wirelessly connected to the Internet through an access point, the first and second communication modules wirelessly communicate with the respective access points according to an IEEE 802.11x protocol. Alexis, however, discloses wherein the first (See Fig. 2B and DAA 36) and second (See Fig. 2B and SLIC 20) communication modules are each wirelessly connected to the Internet through an access point (See Fig. 14, access point 1406 and Fig. 19A access point 1900), the first and second communication modules wirelessly communicate with the respective access points according to an IEEE 802.11x protocol (See pg. 14, paragraph [0256]; pg. 15, paragraph [0260] – [0263]; and pg. 15, paragraph [0272] – [0273]).

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ng et al (Us 6,424,647) teach a method and apparatus for making a phone call connection over an Internet connection. Shnitzer et al (US 7,061,901) teach a data network and PSTN telephony system.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P. Knowlin whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

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12. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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